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HMO Colorado Inc. d/b/a HMO Nevada*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SUNRISE HOSPITAL AND MEDICAL
CENTER, LLC

Plaintiff,

vs.

ROCKY MOUNTAIN HOSPITAL AND
MEDICAL SERVICE, INC. d/b/a ANTHEM
BLUE CROSS AND BLUE SHIELD; HMO
COLORADO INC. d/b/a HMO NEVADA

Defendants.

Case No.: 2:18-cv-00761-RFB-GWF

**STIPULATION AND ORDER TO EXTEND
DISCOVERY STAY**

(Third Request)

Plaintiff Sunrise Hospital and Medical Center, LLC (“Plaintiff”) and Defendants Rocky Mountain Hospital and Medical Service, Inc. d/b/a Anthem Blue Cross and Blue Shield and HMO Colorado Inc. d/b/a HMO Nevada (“Defendants”, and collectively with Plaintiff, the “Parties”) submit the following Stipulation and Order to Extend Discovery Stay:

1 1. On March 14, 2019, the Parties submitted a Status Report and Stipulation to Stay
2 Discovery in which they reported the Parties' agreement to pursue private mediation and requested to
3 stay discovery for fourteen (14) days to allow for the selection of a mediator and mediation date.
4 (Dkt. 45.) The Court entered the Stipulation and Order on March 15, 2019. (Dkt. 46.)

5 2. On March 29, 2019, the Parties submitted a Status Report (Dkt. 48) and Stipulation
6 (Dkt. 50) in which they reported that the Parties' efforts to select a mediator and mediation date are
7 ongoing and requested to extend the discovery stay for an additional fourteen (14) days. The Court
8 entered the Stipulation and Order on April 1, 2019. (Dkt. 51.)

9 3. On April 12, 2019, the Parties submitted a Status Report (Dkt. 52) and a Stipulation
10 (Dkt. 53) in which they reported the Parties' agreement as to a mediator and agreed to stay discovery
11 for an additional fourteen (14) days to allow the Parties more time to confirm a mediation date. The
12 Court entered the Stipulation and Order on April 15, 2019. (Dkt. 54.)

13 4. On April 24, 2019, the Parties confirmed that a mediation of this case is scheduled for
14 June 28, 2019 at 10:00 am. As such, the Parties agree and stipulate to extend the stay of discovery
15 pending mediation up through and including June 28, 2019.

16 5. A stay of discovery up through and including June 28, 2019 will affect the Parties'
17 operative deadlines to file dispositive motions and a joint pretrial. (Dkt. 39.) As such, in the event that
18 this matter is not resolved at mediation, the Parties further agree and stipulate that they will submit to
19 the Court a proposed amended scheduling order within fourteen (14) days following the unsuccessful
20 mediation, on or by July 12, 2019.

21 6. This is the Parties' third request to extend the stay of discovery.

7. There is good cause to extend the stay. An extension of the stay will allow the Parties to focus their continuing efforts on early resolution in an efficient manner and save the Parties' time and expense of discovery. Moreover, as no trial in this matter has been set, the requested extension of the stay does not require a change to any trial date. The Parties jointly request to extend the stay. Neither Party to this lawsuit will be prejudiced by the extension of the stay.

IT IS SO AGREED AND STIPULATED:

Dated this 25th day of April, 2019

Lapidus & Lapidus, PLC

By: /s/ Daniel C. Lapidus

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Dated this 25th day of April, 2019

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IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: April 29, 2019

CASE NO.: 2:18-cv-00761-RFB-GWF